

FILED
HARRISBURG, PA

AUG 11 2025

PER 
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AUDURY PETIE DAVIS and MARYANN BUTLER,

Plaintiffs,

v.

NEW AMERICAN FUNDING, et al.,

Defendants.

Case No. 1:25-cv-00690-PJC

**NOTICE OF INTENT TO SEEK SANCTIONS UNDER 28 U.S.C. § 1927 AND
THE COURT'S INHERENT AUTHORITY; REQUEST FOR
COURT-SUPERVISED MEET-AND-CONFER WITHIN 48 HOURS**

Plaintiffs Audury Petie Davis and Maryann Butler (pro se) hereby give NOTICE that, unless Defendants stipulate to the narrow interim relief described below within 48 hours, Plaintiffs will promptly move for sanctions against defense counsel under 28 U.S.C. § 1927 and the Court's inherent authority. This Notice is filed contemporaneously with Plaintiffs' Emergency Rule 65 motion seeking a narrowly tailored temporary restraining order and an order to show cause regarding a preliminary injunction.

Basis for Notice (short record summary). On the existing, unrebutted record including Exhibits B1, B2, C1, A2, D, D2, F2, and O Defendants' mishandling of Plaintiffs' FHA refinance and failure to cure after demand precipitated imminent third-party collection/litigation threats (culminating September 25, 2025). The same record reflects counsel conduct that has multiplied proceedings and exacerbated third-party harm. Plaintiffs will seek sanctions targeted to counsel's litigation conduct and costs imposed by the resulting emergency practice.

Stipulated, narrow relief offered. To avoid further motion practice, Plaintiffs tender a one-page Stipulated TRO (being served on counsel today) that: (1) restrains Defendants and persons in active concert with them from inducing/facilitating/threatening any third-party collection or suit against Plaintiffs arising from the failed refinance for 14 days; and (2) requires, within 24 hours, a neutral clarification letter to American Remodeling (cc Plaintiffs) stating the refinance did not close and should not be treated as funding for collection pending further order. Entry of the stipulated TRO will stay sanctions proceedings while the parties explore final resolution.

Court-supervised meet-and-confer requested. Plaintiffs respectfully request that the Court set a brief telephonic status conference on or before Wednesday, August 13, 2025, at 11:00 a.m. Eastern (or another time convenient to chambers) to address: (a) entry of the stipulated

TRO; (b) a short, court-supervised settlement window; and (c) a schedule for any sanctions motion only if the stipulation does not enter.

Insurance/discipline notice. Plaintiffs have notified Fox Rothschild LLP's General Counsel of the underlying issues; USPS delivery was confirmed August 4, 2025, signed for by "L. Brown." Plaintiffs reserve all rights and remedies, including ethics referrals.

Local Rule 7.1 Concurrence Statement (Emergency Filing). In light of the emergency nature of the requested relief and the early hour of filing, Plaintiffs respectfully request that the Court accept this filing without prior concurrence. Plaintiffs will seek concurrence today, August 11, 2025, at 9:10 a.m. Eastern by transmitting the proposed Stipulated TRO and requesting a same-day telephonic conference. Plaintiffs will promptly file a short Judicial Notice today confirming whether concurrence was obtained.

Dated: August 11, 2025

Respectfully submitted,

/s/ Audury Petie Davis

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/s/ Maryann Butler

Maryann Butler, Pro Se

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VERIFICATION (28 U.S.C. § 1746)

I, Audury Petie Davis, declare under penalty of perjury that the facts stated in the foregoing Notice of Intent to Seek Sanctions; Request for Court-Supervised Meet-and-Confer including the schedule of concurrence efforts, the existence and description of Exhibits B1, B2, C1, A2, D, D2, F2, and O, the September 25, 2025 third-party deadline, and the USPS delivery

confirmation on August 4, 2025 are true and correct to the best of my knowledge, information, and belief.

Executed on August 11, 2025.

Audury Petie Davis

I, Maryann Butler, declare under penalty of perjury that the facts stated in the foregoing Notice are true and correct to the best of my knowledge, information, and belief.

Executed on August 11, 2025.

Maryann Butler

CERTIFICATE OF SERVICE (VERIFIED)

I certify under penalty of perjury that on August 11, 2025, I filed the foregoing Notice of Intent to Seek Sanctions; Request for Court-Supervised Meet-and-Confer via the Court's CM/ECF system, which will serve all registered counsel of record. Any non-registered parties will be served by U.S. Mail.

Executed on August 11, 2025.

Audury Petie Davis